

PRORATING CHILD SUPPORT PAYMENTS

How do you pro-rate multiple child support orders? When the Consumer Credit Protection Act (CCPA) percentage limitations do not permit full satisfaction of multiple income withholding orders.

Answer in detail:

1. Add together all of the non-custodial parent's current support amounts and then separately, add together the arrearage amounts.

EXAMPLE:

Sue Doe v. Tom Doe, \$75 current plus \$25 on the arrearage.

Mae Jones v. Tom Doe, \$65 current plus \$15 on the arrearage.

Jane Smith v. Tom Doe, \$90 current plus \$20 on the arrearage.

Total \$220 current; \$60 arrearage.

2. Separately determine the percentage each order amount is of the total dollar amount of the combined support orders, for current and arrearage.

EXAMPLE:

Current Orders

Arrearage Orders

Total amount of Mr. Doe's 3 orders = \$220.

Total amount of 3 orders = \$60.

Sue Doe v Tom doe (\$75 divided by \$220=.34) 34%.

\$25 divided by \$60=42%.

Mae Jones v Tom Doe (\$65 divided by \$220=.296) 30%.

\$15 divided by \$60 =25%.

Jane Smith v Tom Doe (\$80 divided by \$220=.363) 36 %.

\$20 divided by \$60=33%.

3. If the non-custodial parent's disposable income is \$310.00 and the amount that may be deducted for child support is 55%, pursuant to the CCPA limitations, the amount available to pro-rate is \$170.00.

4. Important: When allocating on a prorata basis, the current obligations must be withheld **first**.

5. To calculate the correct pro-rated dollar amounts, multiply the amount calculated to be available for proration (\$170) by the calculated percentage applicable for each order.

EXAMPLE:

Current Support

Arrears

Sue Doe v Tom Doe \$170 x .34 =\$57.80

Mae Jones v Tom Doe \$170 x .30 = \$51.00

Jane Smith v Tom Doe \$170 x .36 = \$61.20

Since amount subject to proration was not enough to satisfy all current obligations, there is nothing available to apply to the prorated percentages for the arrearage orders.